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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/756,906	01/10/2001	Errol O. Kendall	1986.002.00	6340
30827	7590	06/14/2007		
MCKENNA LONG & ALDRIDGE LLP 1900 K STREET, NW WASHINGTON, DC 20006			EXAMINER HAVAN, THU THAO	
			ART UNIT 3691	PAPER NUMBER
			MAIL DATE 06/14/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/756,906

Applicant(s)

KENDALL ET AL.

Examiner

Thu Thao Havan

Art Unit

3691

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 May 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-55 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-55 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Detailed Action

Response to Amendment

Claims 1-55 are pending. This action is in response to the RCE received May 9, 2007

Response to Arguments

Applicant's arguments with respect to claims 1-55 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims **1-55** are rejected under 35 U.S.C. 102(e) as being anticipated by Ogawa et al. (US 2001/0023404).

Re claims **1, 15 26**, Ogawa teaches a method of processing a financial product (abstract) comprising: receiving a request for a financial product and information including risk (para. 0016; Ogawa displays an insurance. Insurance is promise of reimbursement in the case of loss; paid to people or companies so concerned about

hazards "risks" that they have made prepayments to an insurance company) about a party requesting the financial product (fig. 3, element 100); preparing a bid solicitation for the financial product based on the request and information and transmitting the bid solicitation to a plurality of product carriers (fig. 14); at least one of the plurality of product carriers submitting a proposal for providing the financial product (para. 0011; fig. 14); and generating a rating corresponding to the proposal (para. 0016; fig. 14; Ogawa discloses Ogawa generates a rating corresponding to the proposal by provides up-to-date commodity information and rate quote). *In other words, Ogawa discloses rating financial product by ranking insurance premium according to insurance vendors. A customer, consumer, shopper or user U1 or user U2 connects to the server via the Internet from a computer terminal and inputs a request for an insurance premium or rate quote from insurance companies A, B, and C. The user inputs conditions which are used by the insurance companies to calculate estimates or the premium. The insurance companies A, B, and C perform trial calculations corresponding to the trial-calculation conditions and return trial-calculation results. The returned trial-calculation results are displayed on the display screen of a computer terminal of the user U1 or U2. Thus, the user U1 or U2 can compare and examine insurance products and estimated premiums of the companies as per the displayed trial-calculation results. Thus, Ogawa makes it possible to obtain premium estimates of a plurality of insurance commodities based upon conditions that are input only once. Therefore, user convenience is improved by displaying the trial-calculation results so as to be easily comparable.*

Re claims **2, 16, 27**, Ogawa teaches providing the rating to the at least one product carrier; allowing the at least one product carrier to revise the proposal based on the rating; and the at least one of the product carriers providing a final proposal (para. 0035).

Re claims **3, 17, 21, 23, 33**, Ogawa teaches generating an appraisal for the proposal; and informing the at least one product carrier of a decision based on the appraisal (para. 0069). *Ogawa discloses informing one product carrier when he discloses the returning of trial-calculation result data is performed between a user and an insurance underwriter.*

Re claim **4**, Ogawa teaches plurality of product carriers each submits a proposal for providing the financial product (fig. 11). *In figure 11, a plurality of product carriers is disclosed.*

Re claims **5, 20, and 28**, Ogawa teaches making an appraisal corresponding to each proposal from the product carriers; and selecting one of the product carriers based on the appraisal (para. 0073).

Re claims **6, 13-14, 22, 41-42, 47-49, and 51-55**, Ogawa teaches generating a rating corresponding to each of the proposals from the product carriers (para. 0035); providing each rating to a corresponding one of the product carriers (para.0016); allowing each of the product carriers to revise the proposal based on the rating (fig. 14); each of the product carriers having an option to maintain the proposal or revise the proposal (para.0046); and providing a revised rating for each revised proposal (para. 0049-0050).

Re claims **7, 10, and 19**, Ogawa teaches making an appraisal corresponding to each of the ratings for the product carriers; and selecting one of the product carriers based on the

Art Unit: 3691

appraisal (para. 0047). *Ogawa discloses selecting the product carriers by accepting the appraisal proposal.*

Re claims **8-9, 11-12, 24, 29-30, 34-35, 38-40, 45-46, and 50**, Ogawa teaches financial product includes an insurance policy (para. 0004).

Re claims **18, 31, and 36**, Ogawa teaches appraisal includes a verbal characterization or a final numerical rating for each of the proposals from the product carriers (fig. 13). *In figure 13, Ogawa discloses numerical rating by rating company A, B, and C according to the standard price. For example, numerical rating is illustrated by company A has a standard price of \$1000, company B has a standard price of \$950, and company C has a standard price of \$875.*

Re claim **32**, Ogawa teaches a method as claimed in claims 1 and 6. Therefore the rationale applied in the rejection of claim 32 applies herein.

Re claims **37 and 44**, Ogawa teaches a method as claimed in claims 1 and 6 except for the limitation an Internet Web site. Ogawa discloses Internet Web site in figure 1. Therefore, the rationale applied in the rejection of claims 37 and 44 applies herein.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu Thao Havan whose telephone number is (571) 272-8111. The examiner can normally be reached during her flextime schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on (571) 272-6771. The fax phone

Art Unit: 3691

number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct-uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at (866) 217-9197 (toll-free).


Thu Thao Havan
Art Unit: 3691
6/10/2007